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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION
SANDRA GLOWACKI, on behalf of her
minor children, D.K.G and D.C.G.,

Plaintiffs, CASE NO. 11-cv-154891
vs

HOWELL PUBLIC SCHOOL DISTRICT,
JOHNSON "JAY" McDOWELL, individually
and in his official capacity as a teacher
in the Howell Public School District,

Defendants. /

The Deposition of DRAKE GLOWACKI, taken before me,
Jennifer Wall, CSR-4183, a Notary Public within and for the
County of Oakland, Acting in Washtenaw, State of Michigan, at
24 Frank Lloyd Wright Drive, Ann Arbor, Michigan on Wednesday,
September 19th, 2012.

APPEARANCES:

ERIN ELIZABETH MERSINO, ESQ.
The Thomas More Law Center
24 Frank Lloyd Wright Drive
Ann Arbor, Michigan 48106
(734) 827-2001

Appearing on behalf of Plaintiff.

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1 Ann Arbor, Michigan
2 Wednesday, September 19, 2012
3 4:05 p.m.
4

5 DRAKE GLOWACKI

6 was thereupon called as a witness herein, and after having been
7 first duly sworn to tell the truth, the whole truth and nothing
8 but the truth, was examined and testified as follows:

9 EXAMINATION

10 BY MS. BARTOS:

- 11 Q. Please state your name for the record.
12 A. Drake Glowacki.
13 Q. And Drake, who are you living with?
14 A. My mother and my dad.
15 Q. And does your brother Daniel live with you, too?
16 A. Yes, and my sister.
17 Q. And how old are you?
18 A. Sixteen.
19 Q. What's your birthday?
20 A. March 15, 1996.
21 Q. You over at Howell High School?
22 A. Can you repeat that.
23 Q. Are you attending Howell High School?
24 A. Yes.
25 Q. What grade are you in?

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1 APPEARANCES, CONTINUING:

2 SUZANNE P. BARTOS, ESQ.
3 Plunkett Cooney
4 535 Griswold, Suite 2400
Detroit, Michigan 48226
5 (313) 983-4741

6 Appearing on behalf of Defendant McDowell.

7 ROY H. HENLEY, ESQ.
8 Thrun Law Firm, PC
9 2900 West Road, Suite 400
East Lansing, Michigan 48826
10 (517) 484-8000

11 Appearing on behalf of Howell Public Schools.

12 ALSO PRESENT: Sandra Glowacki
Daniel Glowacki
Cassandra Harmon-Higgins
Johnson "Jay" McDowell

13 WITNESS INDEX

14 Witness Examined by Page
15 DRAKE GLOWACKI Ms. Bartos 3
16 Mr. Henley 10

17 EXHIBIT INDEX

18 Exhibit No. Description Page
19 (None marked)

20 * * * * *

- 1 A. I am in eleventh.
2 Q. When did you first hear about the incident with your brother
3 being kicked out of econ class?
4 A. I think it was either the day of or the day after it
5 happened.
6 Q. Who did you hear it from?
7 A. My mother.
8 Q. Did you ever talk with your brother about it?
9 A. Yes.
10 Q. What did you talk about? Did he ever tell you what
11 happened?
12 A. Yes.
13 Q. What did he tell you?
14 A. He told me the story of what happened in the classroom and
15 that he had -- how he had to go down to Dr. Sharp's office.
16 Q. Have you spoken with any of your friends regarding this
17 incident?
18 A. I have had people ask me about it. I just told them, like a
19 summary of what happened.
20 Q. And those people that have asked you about it, have they
21 been your friends?
22 A. Yes.
23 Q. Do you remember how many have asked you?
24 A. No.
25 Q. Have you, yourself, spoken with any media about this?



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1 A. No.	1 A. The Support Jay McDowell, yes.
2 Q. Has any media contacted you?	2 Q. Do you know any of the people that posted on there?
3 A. No.	3 A. Can you rephrase that.
4 Q. Did you -- was this incident part of the conversation of any	4 Q. Did you know any of the people that were -- that put
5 of your teachers at school?	5 postings on the Support Jay McDowell page?
6 A. I have heard a teacher like talking about it, but no one has	6 A. Yes.
7 like said anything to me about it.	7 Q. Who were they, to your memory?
8 Q. You were over at the ninth grade campus when this happened,	8 A. I know one was Zack Gode (ph) and that's about the only one
9 right?	9 I can remember.
10 A. Yes.	10 Q. Who is that, Zack Gode?
11 Q. That's a totally different building, right?	11 A. He's in my brother's grade.
12 A. Yes.	12 Q. I'm looking at a Facebook posting, it talks about the
13 Q. You attended an anti-bullying session?	13 person -- the person writing the posting was there when
14 A. Yes.	14 Dan's mom was talking to the teacher on the phone.
15 Q. Did you attend it when your brother would have attended?	15 And they say they're Skinner City College --
16 A. I don't think it was the same day, but it might have been	16 do you know them?
17 like the day after or something.	17 A. No.
18 Q. And when you attended your session, did your brother's name	18 Q. Or Skinner City Cyclist?
19 come up?	19 A. No.
20 A. I don't remember hearing his name, but I know they talked	20 Q. Have you ever posted anything on your Facebook page or
21 about it, like the incident that happened.	21 anybody else's Facebook page about any kids being gay?
22 Q. What did they say?	22 A. No, ma'am.
23 A. About how Howell has had some issues with bullying lately	23 Q. Ever talk about Catholic Central boys?
24 with teachers and students.	24 A. I have.
25 Q. Anything more?	25 Q. Talked on your Facebook page about them being gay?

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1 A. Not that I recall.	1 A. I have joked around with them because I am friends with some
2 Q. And who was they, when you said they talked about it?	2 of them, yes.
3 A. The lady at the seminar.	3 Q. So you have put that on your Facebook page?
4 Q. Do you drink alcohol?	4 A. Yes.
5 A. I have, but I don't like regularly.	5 Q. Do you remember taping your hands to beer bottles on --
6 Q. Does your mom know that you do?	6 posting that on Facebook?
7 MS. MERSINO: Objection. Relevance. It's	7 A. That is not me actually.
8 harassment.	8 Q. It's not you?
9 BY MS. BARTOS:	9 A. Nope.
10 Q. Does your mom know you do?	10 Q. Okay. Your sister's name is Devin, right?
11 A. I assume she knows I have done it before.	11 A. Yes.
12 Q. Did you recognize the -- I don't know what you want to call	12 Q. Your mom's name is Sandy, right?
13 it, does the name Flopsy Mopsy CT sound familiar to you?	13 A. Yes.
14 A. No, ma'am.	14 Q. Okay.
15 Q. Does the name Skinner City Cyclist?	15 A. That's a family friend actually.
16 A. No, ma'am.	16 Q. Daniel is your brother, right?
17 Q. Have you talked about this incident on your Facebook page?	17 A. Yes.
18 A. No.	18 Q. Has any Howell school administrator spoken to you poorly or
19 Q. Have you read Facebook postings about this incident?	19 treated you poorly since this happened?
20 A. Yes.	20 A. Not that I recall, no.
21 Q. Who were the authors?	21 Q. Have you ever tried to -- well, strike that.
22 A. There was some kids at our school and there was people on	22 Have you ever made a comment about your
23 the Support Jay McDowell page that were talking about it and	23 religion in your class?
24 stuff like that, but that's about it.	24 A. Not that I recall.
25 Q. Have you gone on Mr. McDowell's Facebook page?	25 Q. Have you ever been told you cannot make a comment about your

2 (Pages 5 to 8)

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1 religion?	1 A. Yes.
2 A. No.	2 Q. And do you have any views regarding homosexuality?
3 Q. Have you ever had Mr. McDowell as a teacher?	3 A. I have the same beliefs as him.
4 A. No, ma'am.	4 Q. As Dan?
5 Q. Do you remember any teachers wearing the purple shirts, the	5 A. Yes.
6 Tyler's army shirts?	6 Q. Before October 2010, was anything regarding homosexuality
7 A. Yes.	7 ever discussed in school?
8 Q. Did you ask them what they were about?	8 A. Not that I recall, no.
9 A. No.	9 Q. Since then, as far as you're concerned, was any issue
10 Q. Did they ever tell you what they were about?	10 regarding homosexuality ever discussed in school?
11 A. No.	11 A. No.
12 Q. Have you ever gotten disciplined or spoken to, even spoken	12 Q. Is there anything at school that you wanted to do but didn't
13 to by a teacher or administrator regarding any comments you	13 do because of what happened to Dan?
14 have made in class?	14 A. Not that I recall.
15 A. Not that I recall.	15 Q. Is there anything that you wanted to say at school but
16 Q. Did you ask to be part of this lawsuit?	16 didn't say because of what happened to Dan?
17 A. I didn't ask to be part of it, no.	17 A. Not that I recall.
18 Q. Did your mom ask you if you wanted to be part of it?	18 MR. HENLEY: I don't think I have any other
19 A. Yes.	19 questions.
20 Q. What did you say?	20 MS. BARTOS: No, nothing.
21 A. Yes.	21 MS. MERSINO: Reserve the right to review
22 Q. Why did you want to -- what was your goal in filing this	22 and sign. No questions.
23 lawsuit?	23 (The deposition was adjourned at 4:20 p.m.)
24 A. That other students or me would not be punished for speaking	24 *** ***
25 my beliefs in class.	25

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1 Q. Do you know of any other -- or any students that have been	1 STATE OF MICHIGAN)
2 punished for speaking their beliefs in class?	2) ss.
3 A. No.	3 COUNTY OF OAKLAND)
4 Q. Did you know of any students that had been punished for	4 I, Jennifer L. Wall, Notary Public within and for the
5 speaking their beliefs before this happened?	5 County of Oakland, State of Michigan, do hereby certify that the
6 A. No.	6 witness whose attached deposition was taken before me in the
7 MS. BARTOS: Okay. That's all.	7 above entitled matter was by me duly sworn at the aforementioned
8 EXAMINATION	8 time and place; that the testimony given by said witness was
9 BY MR. HENLEY:	9 stenographically recorded in the presence of said witness and
10 Q. Drake, my name is Roy Henley. I represent the Howell Public	10 afterward transcribed by computer under my personal supervision,
11 Schools in this case. I have some questions for you.	11 and that the said deposition is a full, true and correct
12 You're in eleventh grade now?	12 transcript of the testimony given by the witness.
13 A. Yes.	13 I further certify that I am not connected by blood or
14 Q. Do you have any plans for after graduation yet?	14 marriage with any of the parties or their attorneys, and that I
15 A. Going to college.	15 am not an employee of either of them, nor financially interested
16 Q. Do you know where you want to go to college?	16 in the action.
17 A. No.	17 IN WITNESS THEREOF, I have hereunto set my hand at the
18 Q. Do you have any idea what you want to study in college?	18 City of Walled Lake, County of Oakland, State of Michigan.
19 A. Culinary arts.	19
20 Q. You take part of any extracurricular activities at school	20
21 now?	21
22 A. Sports.	22 Jennifer L. Wall, Notary Public, #183
23 Q. What sports?	23 Oakland County, Michigan
24 A. I do track and then I did wrestling last year.	24 My Commission Expires 11/12/15
25 Q. Did you go to catechism, too, like your brother?	25

3 (Pages 9 to 12)